

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Donna Curling, et al.,

Plaintiffs,

CIVIL ACTION FILE

vs.

NO. 1:17-cv-02989-AT

Brad Raffensberger, et
al.,

Defendants.

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VIDEO 30(b)(6) DEPOSITION OF  
SECRETARY OF STATE  
THROUGH  
ROBERT GABRIEL STERLING

October 12, 2022  
9:26 a.m.

Suite 3250, One Atlantic Center  
1201 W. Peachtree Street  
Atlanta, Georgia

S. Julie Friedman, CCR-B-1476

1 county-level officials actually don't have  
2 administrative rights to change a password?

3 A. I'm aware that was his testimony, but I  
4 believe that is incorrect.

5 Q. Okay. So the password change that  
6 occurred on December 14, is it the Secretary's Office  
7 understanding that Misty Hampton did that, or they --  
8 they don't know for sure who did it?

9 A. We don't know. We only know is that  
10 someone in that office who had the existing password  
11 went on and changed that password, so we can't speak  
12 if it was Misty, her daughter, or some other  
13 employee.

14 Q. Since the Secretary's Office thought that  
15 the password should be changed after the YouTube  
16 video came, why wasn't it the practice of the  
17 Secretary's Office to make that change itself or to  
18 oversee that change with whoever would handle that?

19 A. I couldn't speak to that specifically.  
20 Generally speaking, the board of elections  
21 directors. Counties run elections and --

22 Q. All right.

23 A. And, generally speaking, the Secretary of  
24 State's Office says to do something, they generally  
25 do it, because they don't want to go before the State

1 Election Board for having done something wrong.

2 Q. Does the -- Since the Secretary's Office  
3 owns the equipment in Coffee County in particular, is  
4 the -- is -- is it supposed to have all of the  
5 passwords to that equipment so that it has its own  
6 access?

7 A. Generally speaking, yes.

8 Q. And is it my understanding that when the  
9 password was changed on December 14 at the  
10 Secretary's direction, is it your understanding  
11 whatever that password became was ever shared with  
12 your office?

13 A. That is my understanding. Yes.

14 Q. And what is that based on?

15 A. That when James Barnes called Michael  
16 Barnes, no relation, to -- to see if you have a  
17 different password than what I have sitting here, he  
18 had the same one; and there has been -- There's no  
19 indication that we ever got the information that it  
20 was changed.

21 Q. Do you know whether the password that  
22 James Barnes was trying to use and that Michael  
23 Barnes had -- was that what the Secretary's Office  
24 believed to be the EMS server password prior to  
25 December 14th?

C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 434 represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

This, the 17th day of October, 2022.

S. JULIE FRIEDMAN, CCR-B-1476